

**ENTERED**

September 01, 2016

David J. Bradley, Clerk

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION

UNITED STATES OF AMERICA,	)	
	)	
<i>Plaintiff,</i>	)	
	)	
v.	)	
	)	Civil Action No. 1:08-cv-263
0.37 ACRES OF LAND, more or less,	)	
situated in CAMERON COUNTY, TEXAS;	)	
and CELESTE MONTEMAYOR	)	
RODRIGUEZ, et al.,	)	
	)	
<i>Defendants.</i>	)	

**AGREED ORDER OF REVESTMENT**

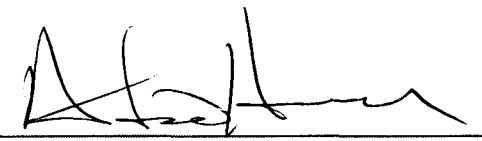
Pursuant to the Stipulation of Revestment entered by plaintiff the United States of America (the "United States"), and defendants Celeste Montemayor Rodriguez and Cresencio Rodriguez (collectively, the "Defendants"), the Court enters the following Order:

**IT IS HEREBY ORDERED AND ADJUDGED**, that to the extent the Amendment to Declaration of Taking (Docket No. 21) (herein the "Declaration, as amended") and the Amendment to Complaint in Condemnation (Docket No. 20) (herein the "Complaint, as amended") condemned, conveyed to, and/or vested title in the 0.18 acres south of the IBWC levee (hereinafter the "0.18 Acre Fee Interest") and further identified by the metes and bounds attached as **Exhibit 1** in the United States by virtue of the inclusion of said 0.18 Acre Fee Interest in the Estate set forth in Schedule "E" of the Declaration of Taking as amended and Complaint as amended (herein the "Estate"), attached hereto as **Exhibit 2**, in real property identified as Tract RGV-HRL-5021-1 described in Schedule "C" and depicted in Schedule "D" of the Declaration as amended and Complaint as amended (herein the "Subject Property") which schedules are attached

hereto as **Exhibits 3 and 4** respectively, said 0.18 Acre Fee Interest shall be revested in the defendants Celeste Montemayor Rodriguez and Cresencio Rodriguez as their interests in the same appeared immediately before the vesting of title to said 0.18 Acre Fee Interest in the United States by operation of law through these condemnation proceedings in full satisfaction of any and all claims regarding 0.18 Acre Fee Interest against the United States by reason of the institution and prosecution of this action.

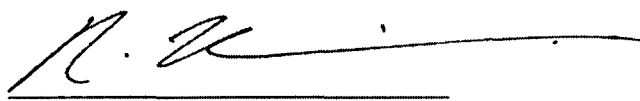
**IT IS FURTHER ORDERED**, that the Defendants will take no appeal from any rulings or judgments made by the Court in this action with regard to the Stipulation of Partial Revestment, and the Defendants waive any and all claims for compensation of any nature against the United States arising from the United States' acquisition of the 0.18 Acre Fee Interest and associated with or appurtenant to the Estate in the Subject Property. The parties consent to the entry of all orders and judgments necessary to effect the Stipulation of Partial Revestment.

**DONE AND ORDERED**, in chambers, at Brownsville, Texas, this 31<sup>st</sup> day of August, 2016.

  
**ANDREW S. HANEN**  
United States District Judge

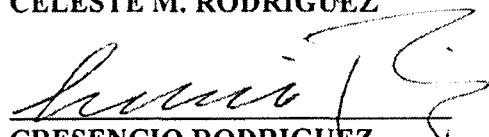
Agreed to in form and substance:

**KENETH MAGIDSON**  
United States Attorney  
Southern District of Texas

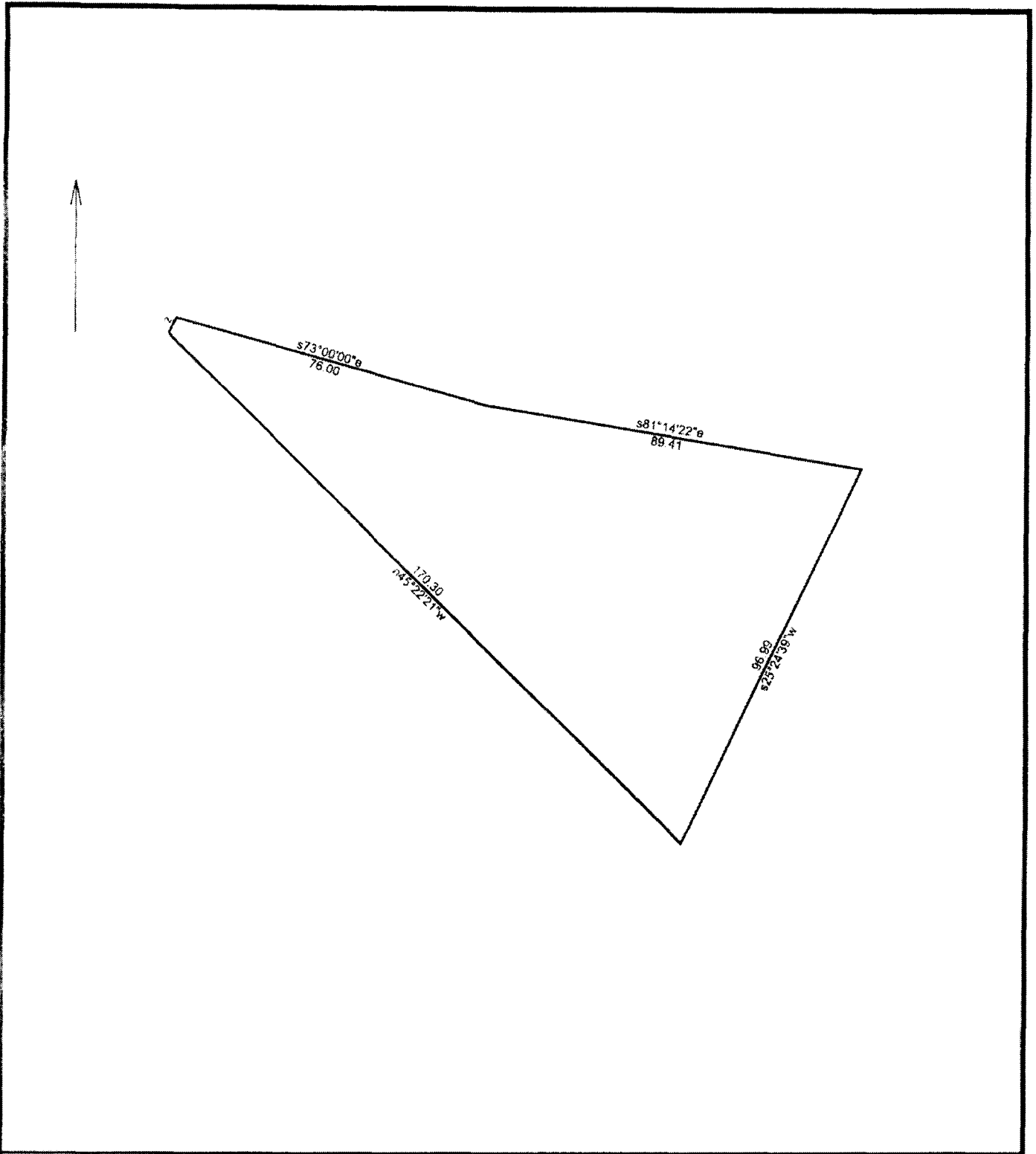
  
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CELESTE M. RODRIGUEZ

  
CRESENCIO RODRIGUEZ

# EXHIBIT 1



3/3/2010

Scale: 1 inch= 30 feet

File: HRL-5021-2.ndp

Tract 1: 0.1756 Acres (7650 Sq. Feet), Closure: s88.5119e 0.01 ft. (1/78081), Perimeter=437 ft.

01 n16536683.03747 e1263818.30554

02 n24.5339e 4.20

03 s73.0000e 76.00

04 s81.1422e 89.41

05 s25.2439w 96.99

06 n45.2221w 170.30

PF-225 RIO GRANDE VALLEY SECTOR  
DEPARTMENT OF HOMELAND SECURITY  
CUSTOMS AND BORDER PROTECTION

Cameron County, Texas

Tract: RGV-HRL-5021-2 Owner: Celeste Montemayor. Rodriguez Acreage:0.18

Being that certain 0.18 acre tract of land being out of the San Pedro de Carricitos Grant, Cameron County, Texas and being out of a called 2.85 acre tract conveyed to Celeste Montemayor Rodriguez by Warranty Deed recorded in Volume 3999, Page 80, of Cameron County Official Records, Cameron County, Texas, being more particularly described by metes and bounds as follows:

BEGINNING at the Southwesterly corner of said 2.85 acre tract having Texas South State Plane NAD 83 grid coordinates of: N=16,536,683.03747, E=1,263,818.30554; thence

N.24°53'39"E. along the Westerly line of said 2.85 acre tract, a distance of 4.20 feet; thence

S.73°00'00"E. a distance of 76.00 feet; thence

S.81°14'22"E. a distance of 89.41 feet to a point on the Easterly line of said 2.85 acre tract; thence

S.25°24'39"W. along said Easterly line a distance of 96.99 feet to the Southeasterly corner of said 2.85 acre tract; thence

N.45°22'21"W. along the Southerly line of said 2.85 acre tract, a distance of 170.30 feet to the POINT OF BEGINNING.

Tract contains 7,650 Square Feet or 0.18 Acres, more or less.

24 MAR 10 – WJV Office Description

RGV-HRL-5021-2

**SCHEDULE "E"**  
**ESTATE TAKEN**

**FEE, EXCLUDING MINERALS**

**Tracts: RGV-HRL-5021-1 and RGV-HRL-5031-1**

**Owners: Celeste Montemayor Rodriguez; and Luis Rodriguez and Rebecca Rodriguez,  
respectively**

**Acres: 0.45 and 0.29, respectively**

The estate taken is fee simple, subject to existing easements for public roads and highways, public utilities, railroads, and pipelines and subject to Easements Appurtenant reserved in Declarations of Taking or granted by the United States of America across lands acquired by the United States for border barrier purposes to provide access to owners of property on the riverside of the border barrier. The estate taken excludes all interests in minerals; in water rights associated with or appurtenant to the land; and in water distribution and drainage systems, provided that any surface rights arising from the excluded interests in water distribution and drainage systems are subordinated to the construction, operation, and maintenance of the IBWC levee and border barrier.

**SCHEDULE "C"**  
**LEGAL DESCRIPTION**

**Cameron County, Texas**

**Tract: RGV-HRL-5021-1 Owner: Celeste Montemayor Rodriguez Acreage: 0.45**

**Being that certain 0.45 acre tract of land being out of the San Pedro de Carricitos Grant, Cameron County, Texas and being out of a called 2.85 acre tract conveyed to Celeste Montemayor Rodriguez by Warranty Deed recorded in Volume 3999, Page 80, of Cameron County Official Records, Cameron County, Texas, being more particularly described by metes and bounds as follows:**

**BEGINNING at the Southwesterly corner of said 2.85 acre tract having Texas South State Plane NAD 83 grid coordinates of: N=16,536,683.03747, E=1,263,818.30554;**

**Thence, N.24°53'39"E. along the Westerly line of said 2.85 acre tract, a distance of 73.20 feet;**

**Thence, S.64°50'10"E. a distance of 40.10 feet;**

**Thence, S.88°47'50"E. a distance of 133.07 feet to a point on the Easterly line of said 2.85 acre tract;**

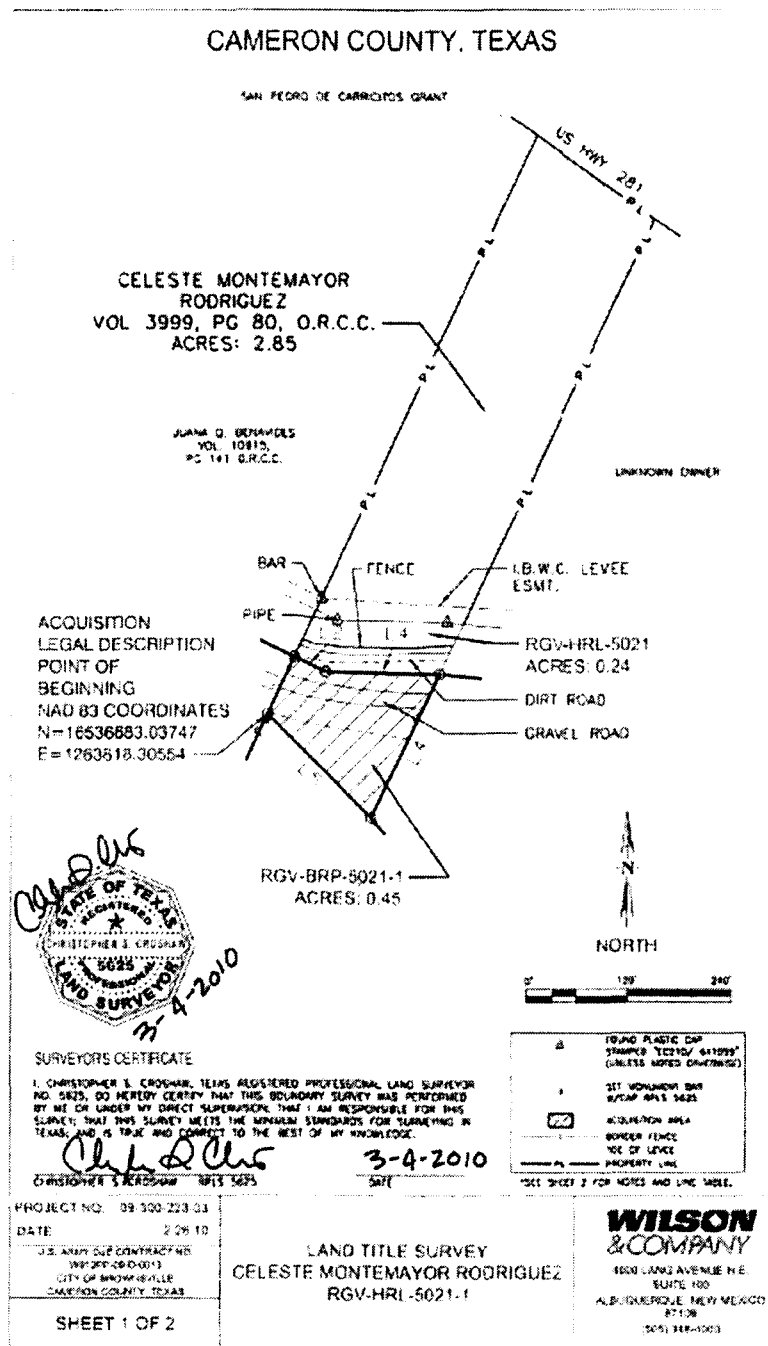
**Thence, S.25°24'39"W. along said Easterly line a distance of 183.99 feet to the Southeasterly corner of said 2.85 acre tract;**

**Thence, N.45°22'21"W. along the Southerly line of said 2.85 acre tract, a distance of 170.30 feet to the POINT OF BEGINNING.**

**Tract contains 19,638 Square Feet or 0.45 Acres, more or less.**

**Tract: RGV-HRL-5021-1**

## SCHEDULE "D"



## LAND TO BE CONDEMNED

Tract: RGV-HRL-5021-1  
Owner: Celeste Montemayor Rodriguez  
Acres: 0.45  
Cameron County, Texas

**EXHIBIT 4**